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Wilson

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Ex-CIA Agent Facing Trial In Case Related to Libya

He Says He's Not In Photo With Billy

By Allan Frank
Washington Star Staff Writer

U.S. District Judge John H. Pratt yesterday set Nov. 5 as the trial date for Francis E. Terpil, an international arms dealer from McLean who is criminally charged with acting as an unregistered foreign agent for Libya, conspiracy to commit murder and other serious alleged crimes.

Pratt granted a delay in the case, which had been scheduled for early October, to allow attorneys to complete other cases already scheduled and to prepare additional motions in the case.

William J. Garber, one of Terpil's attorneys, told the judge, "The more I get into it, the more issues surface," referring to the multiplicity of charges against his client and the complicated defense that is expected to be presented.

Terpil and a fellow ex-CIA employee, Edwin P. Wilson, were indicted in April here on charges of acting as unregistered foreign agents for Libya, conspiracy to commit murder, solicitation to commit murder, aiding and abetting, conspiracy to transport explosives in foreign commerce, transportation of explosives in foreign commerce with intent to use unlawfully, unlawful export of U.S. munitions and unlawful transportation of hazardous materials in foreign commerce.

Jerome Brower, a California explosives firm executive, also was charged with making false declarations to a grand jury in an alleged effort to conceal the purpose of the alleged conspiracy.

The federal indictment charged that "the object of the conspiracy was to supply covertly and for a profit the government of Libya with personnel, explosives, explosive material and other goods necessary to make explosive devices and to teach others how to make explosives in a terrorist training project."

The alleged conspirators plotted in mid-1976, the indictment charges, to hire an American assassin for $1 million to kill Umar Abdullah Muhayshi, a former member of the Libyan ruling council who had defected to Egypt.

Since being arrested in New York last December on state weapons charges, Terpil has been involved in another controversy over whether he was seated next to Billy Carter at an observance in Libya last year.

Terpil admits attending the 10th anniversary celebration of the Libyan revolution last year, but denies he sat next to Billy Carter in the reviewing stand at the affair.

At least one federal investigator familiar with the Billy Carter case insists the man seated to Billy Carter's right in a photograph of spectators is Terpil. The photograph was published in this week's issue of Time magazine.

Terpil says he is not the man in the picture.

In an interview with The Washington Star yesterday, Terpil said, "I know that according to the government that is me in that picture. That is not me."

He declines to comment about whether he has ever talked with Billy Carter.

In January, Billy Carter told Richard Mortlock, a reporter for a nationally distributed weekly tabloid, The Star, "I don't know the guy. . . . Sure, I must have shook hands with him, but I shook about 5,000 hands that day. I must have shifted seats about a dozen times that day."

Kenneth Michael Robinson, one of Terpil's attorneys, also declines to comment about whether his client has ever met Billy Carter. But Robinson says that long before recent news stories about Billy Carter, Terpil was "saying a lot to us about Billy Carter and his Libyan connections."

Terpil's trial is expected to last two weeks. However, lawyers on both sides have noted that complex motions involving potential disclosures of intelligence information could cause delays.

Robinson said, "If we get this thing moved into January for trial, you have to stay tuned because Billy Carter is definitely involved as far as moving in the same circles on this whole Libyan thing involving Terpil. Billy Carter's name will very much be a presence in the Terpil trial."

E. Lawrence Barcella Jr., the assistant U.S. attorney prosecuting the case in Washington against Terpil and Wilson, says, "I've looked at him (Terpil) many times, and I've looked at the picture. It's somewhat difficult to tell if it is the same guy. Some people say, 'Yes, that's Frank,' " Barcella said. "Some say it's not. . . . It is tough (to identify him from the Time magazine picture) for a couple of reasons: it is somewhat of a distant shot and it is taken from his left side. Some of the so-called identifying characteristics are concealed. His ears are covered mostly by hair."

Both Terpil and a close friend of his, who asked not to be quoted by name, note that the man in the picture is wearing what appears to be a silver watch with a dark leather band while Terpil has a gold Rolex with a gold band.

The close friend, an ex-CIA employee who says he has known Terpil for two years, added that Terpil appears to have less hair than the man in the picture with Billy Carter that appeared in Time. (At his request, Terpil brushed his hair before his picture was taken yesterday by The Washington Star.)

Several intelligence sources shown the picture in Time Magazine were uncertain whether the man to the right of Billy Carter is Terpil.

Barcella adds, "It's really not that big a deal whether or nor it's Frank, in a sense — the fact that he is sitting next to Billy Carter."

Barcella and other Justice Department officials decline to comment on whether they have attempted to learn if there was any contact between Billy Carter and Terpil or Wilson.

The Washington prosecutor notes, however, that "there is no comparision between the two (Wilson and Terpil) and the alleged activities they are charged with being involved in and the activities that Billy is charged with being involved in."

Terpil expects his Libyan connections and the question of the picture will pique enough curiousity for one of the congressional panels investigating Billy Carter's Libyan deals to subpoena him as a witness.

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